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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 AYRICK TALBO,

10 Petitioner,

11 vs.

12 STATE OF NEVADA, et al.,

13 Respondents.  
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Case No. 3:07-CV-00379-LRH-(VPC)

**ORDER**

15 The Court dismissed this action without prejudice to Petitioner commencing a new action in  
16 which he either submits an application to proceed in forma pauperis or pays the filing fee. Order  
17 (#2). Plaintiff has submitted a Motion for Default (#7). The Court denies this motion because it has  
18 dismissed the action.

19 IT IS THEREFORE ORDERED that Petitioner's Motion for Default (#7) is **DENIED**.

20 DATED this 8<sup>th</sup> day of July, 2008.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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